

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Workman Securities Corporation, a Minnesota corporation, and Robert Vollbrecht, a Minnesota resident,

Court File No. 09-cv-01723(PJS/JSM)

Plaintiffs,

V.

**AFFIDAVIT OF ADAM A.
GILLETTE**

Phillip Roy Financial Services, LLC, a Florida limited liability company, and Phillip Roy Financial Consultants, LLC a Florida limited liability company,

Defendants.

COUNTY OF HENNEPIN)
) ss.
STATE OF MINNESOTA)

Adam A. Gillette, being duly sworn upon oath, deposes and states as follows:

1. I am an attorney with the law firm of Fruth, Jamison & Elsass PLLC, and am one of the attorneys representing defendants Phillip Roy Financial Services, LLC and Phillip Roy Financial Consultants, LLC in the above-captioned matter. I make this Affidavit in Support of Defendants' Amended Motion to Dismiss.

2. Attached as Exhibit 1 is a true and correct copy of Defendant Workman Securities Corporation's Notice of Withdrawal of Argument No. 4(L) of Its Motion to Dismiss *in re* Phillip Roy Financial Services, LLC and Phillip Roy Financial Consultants, LLC v. John M. Leonard, et. al., Unites States District Court , District of Penellas County Florida Court File No. 01-011854-CA-20.

3. Attached as Exhibit 2 is a true and correct copy of a letter to Beranton Whisenant, Jr. from Aaron Resnick dated August 4, 2009.

4. Attached as Exhibit 3 is a true and correct copy of the Florida Department of State Division of Corporations entity detail for Workman Securities Corporation.

5. Attached as Exhibit 4 is a true and correct copy of Cargill Incorporated v. Biodiesel of Las Vegas, Inc., Civ. No. 09-672, 2009 WL 3164761 (Sept. 28 2009).

6. Attached as Exhibit 5 is a true and correct copy of Nicollet Cattle Co., Inc., v. United Food Group, LLC, 2009 WL 2218792 (D. Minn. July 23. 2009).

FURTHER YOUR AFFIANT SAYETH NOT.

s/ Adam A. Gillette
Adam A. Gillette

Subscribed and sworn to before me
this 15th day of October, 2009

s/ Notary Public
Notary Public